

REMARKS

Obviousness Rejections

On page 3 of the Office Action, in paragraph 5, claims 1-7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buscemi et al. (US 5,500,013) in view of Sasajima et al. (JP 8-33661). Further, on page 6 of the Office Action, in paragraph 6, claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Buscemi et al. (US 5,500,013) in view of Sasajima et al. (JP 8-33661) as applied to claim 1 above, and further in view of Stedronsky et al. (US 6,033,654). Also, on page 10 of the Office Action, in paragraph 7, claims 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buscemi et al. (US 5,500,013) in view of Sasajima et al. (JP 8-33661) as applied to claim 1 above and further in view of Miyamoto (US 2004/0136977)

In response, Applicants submit initially that the technical features of the present invention are summarized as follows.

(1) Support

The supporting base material is a fiber structure comprising aliphatic polyester fibers. The average diameter of fiber is 0.05 to 50 μm .

(2) Elastin

The elastin is crosslinked. The crosslinked elastin exists in gaps to fibers.

Buscemi

(1) Support

Buscemi discloses a support made of biodegradable material. Buscemi discloses fibers which surround the support. However, Buscemi is silent about that the crosslinked elastin exists in gaps of fibers.

(2) Elastin

Buscemi discloses elastin as an example of bioactive material (drug) such as aspirin, TPA, urokinase etc. (column 12, line 59 to column 13, line 13).

Sasajima

(1) Support

The support of Sasajima is made of synthetic resin. Sasajima clearly says that the support is required not to be decomposed in living body (paragraph 0007).

(2) Elastin

Sasajima discloses crosslinked elastin. Sasajima uses crosslinked elastin having a mechanical strength to reinforce the structure.

The crosslinked elastin of Sasajima is not applicable to Buscemi.

Buscemi discloses elastin as an example of bioactive material (drug) such as aspirin, TPA, urokinase etc. (column 12, line 59 to column 13, line 13). Buscemi intends to release drug as the degradation proceeds on the biodegradable material which contains drug. In Buscemi, the drug is released as it is, to perform its own function. Therefore, a crosslinking of elastin is not assumed in Buscemi. Buscemi does not have an intention of spoiling a drug by modification such as crosslinking.

Accordingly, Sasajima's crosslinked elastin used for reinforcing purpose is not applicable to the invention of Buscemi. Further, the other cited references do not make up for this deficiency.

Thus, Applicants submit that the present invention is not obvious over the cited art combinations, and withdrawal of these rejections is respectfully requested.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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